**GOVERNMENT OF ANDHRA PRADESH**
**ABSTRACT**

Revenue Department – Allegations of Corruption against Sri N. Krishnaiah, former MRO Betemcherla, Kurnool District convicted by the ACB Court – Dismissed from service – Acquitted by the High Court in Criminal Appeal No. 217/2005 – Regularized suspension period and dismissal period as not on duty - APAT in order dt.02.08.2016 in O.A. 4506/2013 order to regularize the period as on duty - Implemented – Orders – Issued.

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**REVENUE(VIGILANCE.III) DEPARTMENT**

G.O.RT.No. 221 Dated: 23-02-2017

Read the following:

1) G.O Ms No 526 Revenue (Vig.II) Dept., dated 17.08.2012
2) Final Orders of Hon'ble APAT in OA No. 4506/2013, dt. 02.08.2016 filed by Sri N. Krishnaiah, Dy. Tahsildar (Retd).

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It was brought to the notice of the Government that Sri N. Krishnaiah while working Mandal Revenue Officer, Bethamcherla, Kurnool District was trapped by the Anti-Corruption Bureau officials on 03.08.1993 when he demanded and accepted an amount of Rs.1600/- as bribe. The Anti-Corruption Bureau Authorities have filed Charge Sheet against the AO before the Additional Special Judge for SPE & ACB cases, Hyderabad. The Court in its judgment dated 14.02.2005 in C.C.No.16/1995 have convicted the Accused Officer. Government have issued orders dismissing the Accused Officer from service on the ground of conduct which led to his conviction on a Criminal Charge vide G.O.Ms.No.1311, Revenue (Vig.VI) Dept. Dated 5.7.2005. Aggrieved by the above judgment the AO filed criminal appeal no. 217/2005 in High Court.

2) The Hon'ble High Court in its orders dt.03.02.2012 in Cr. Appeal No.217/2005 have allowed the Criminal Appeal, setting aside the judgment of conviction and sentence, dated: 14.02.2005 in C.C.No.16 of 1995 passed by the Additional Special Judge for SPE & ACB Cases, City Civil Court, Hyderabad against the appellant. Government after careful examination of the matter have modified the orders of dismissal from service to that of deemed suspension and consider the dismissal period of the Accused Officer from 05.07.2005 to 31.05.2012 as period spent under deemed suspension. Government have also ordered to treat the suspension period of the Accused Officer from 06.08.1993 to 10.10.1996 and subsequent deemed suspension period from 05.07.2005 to 31.05.2012 as "Not On Duty" and during the period the Accused Officer would be entitled to subsistent allowance only, and will also be entitled for notional increments, leave, qualifying service for promotion etc vide reference 1st read above.

3) Aggrieved by the above orders Sri N. Krishnaiah, Deputy Tahsildar (retired) has filed O.A. No.4506/2013 before the Hon'ble APAT. In the reference 2nd read above, the Hon'ble APAT in its final orders dated 02.08.2016 among others has ordered as follows:

> "For the reasons stated under Point Nos.(i) and (ii), the O.A. is allowed. G.O.Ms.No.526, Revenue (Vig.VI) Department, dated. 17.08.2012 issued by the 2nd respondent, proceedings of the 3rd respondent in Rc.No.A5/2296/2012, dt.16.11.2012 and proceedings of the 1st respondent in CCLA's Ref.No.XXI/493/2013, dated.15.07.2013, are set-aside to the extent of treating the suspension period and out of employment period due to dismissal from service of the applicant as not on duty, with a direction to the respondents to treat the suspension period from 06.08.1993 to 10.10.1996 and out of employment period from 05.07.2005 to 31.05.2012 as 'on duty' for the purpose

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of continuity in service, increments, seniority, promotion, pay fixation, pension, etc., and consider his case for promotion to the post of Tahsildar and Deputy Collector as per his seniority and eligibility notionally. The monetary benefit for the above periods of suspension/deemed suspension are restricted to subsistence allowance. Orders in compliance of the above directions shall be passed within a period of three months from the date of receipt of a copy of this order"

4) Government after careful examination of the matter keeping in view of the order of Andhra Pradesh Administrative Tribunal have decided to implement the orders of Hon'ble Andhra Pradesh Administrative Tribunal dated 02.08.2016 in OA No 4506/2013 filed by Sri N. Krishnaiah, Deputy Tahsildar (retired) to treat the suspension period from 06.08.1993 to 10.10.1996 and dismissal period from 05.07.2005 to 31.05.2012 as **ON DUTY** as per FR 54-B(4)/54-A(3) restricting the monetary benefit for the above periods of suspension/deemed suspension to subsistence allowance only. Accordingly, Government hereby order to implement the orders of Hon'ble Andhra Pradesh Administrative Tribunal dated 02.08.2016 in OA No 4506/2013 Sri N. Krishnaiah, Deputy Tahsildar (retired) duly treating the suspension period from 06.08.1993 to 10.10.1996 and dismissal period from 05.07.2005 to 31.05.2012 as **ON DUTY** as per FR 54-B(4)/54-A(3) restricting the monetary benefit for the above periods of suspension/deemed suspension to subsistence allowance only.

5) The Chief Commissioner of Land Administration, Andhra Pradesh, Vijayawada is requested to take further necessary action accordingly.

**(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)**

**J.C. SHARMA**
**SPECIAL CHIEF SECRETARY TO GOVERNMENT**

To
Sri N. Krishnaiah, Deputy Tahsildar (Retired) (Through the District Collector Kurnool)
The Chief Commissioner of Land Administration, Andhra Pradesh, Vijayawada.
Copy to:
The District Collector Kurnool.
The Government Pleader, Andhra Pradesh, Andhra Pradesh Administrative Tribunal, Hyderabad with reference to the Hon'ble Andhra Pradesh Administrative Tribunal in OA No. 4506/2013, dt. 02.08.2016 filed by Sri N. Krishnaiah, Deputy Tahsildar (Retired).
The file

**//FORWARDED :: BY ORDER//**

**SECTION OFFICER**